REMARKS

I.   Status of the Application

Claims 1-73 are pending. Claims 1, 19, 34, and 49 are amended. Claims 66-73 are added.

The Examiner and his Supervisor are thanked for discussing the Office Action, claims, and prior art with the undersigned attorney on January 23, 2009. The Supervisor indicated that amendments along the lines of those made herein would distinguish the cited references, but a new search would need to be conducted.

II.   Claim Rejections - 35 USC § 102

Claims 1-16, 18-29, 31-60, 64, and 65 have been rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2007/0199030 ("Ellis"). Claims 1, 19, 34, and 49 are amended and the rejection is respectfully traversed.

Amended Independent Claims 1, 19, 34, and 49

Independent claims 1, 19, 34, and 49 define apparatus for receiving program content and methods for use in an apparatus for receiving program content. The apparatus may be a set-top terminal, for example, as recited in claims 18 and 33. Claims 1, 19, 34, and 49 require, in part, "a memory for providing a first application and a second application, the first application being used to realize at least a first programming service for providing first programming content in accordance with a broadcast schedule, the second application being used to realize at least a second programming service for providing second programming content after broadcast thereof, the second programming content being recorded during the broadcast thereof at a location

remote from the apparatus." As discussed in the teleconference on January 23, 2009, the first and second applications are separate software applications, as described in the specification on page 30, lines 3-24 and shown in Fig. 9, for example.

While the claims are believed to be clear when read in light of the specification, independent claims 1, 19, 34, and 49 have been amended to recite that the first and second applications are "separately registered in a registry of applications in the apparatus," as described on page 30, lines 3-24 of the specification. Since it is known in the art that first and second software applications are separately registered in a registry of applications, this amendment merely makes explicit what was implicit in the original claims, this amendment does not narrow the claims.

As acknowledged by the Examiner and the Supervisor in the January 23 teleconference, Ellis does not teach or suggest providing separately registered applications to perform the claimed functions. Independent claims 1, 19, 34, and 49, and the claims dependent upon them, are not, therefore, anticipated by Ellis.

III.   Claim Rejections - 35 USC § 103

Claims 17 and 30 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Ellis in view of U.S. Patent Publication No. 2002/0178447 ("Plotnick"). Claims 61-63 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Ellis in view of U.S. Patent Publication No. 2004/0226042 ("Ellis II").

Claims 17 and 30 depend respectively from amended claims 1 and 19 and claims 61-63 are dependent on claim 1. Since amended claims 1 and 19 are patentable over the cited art for the reasons set forth above, claims 17, 30, and 61-63 are patentable, as well.
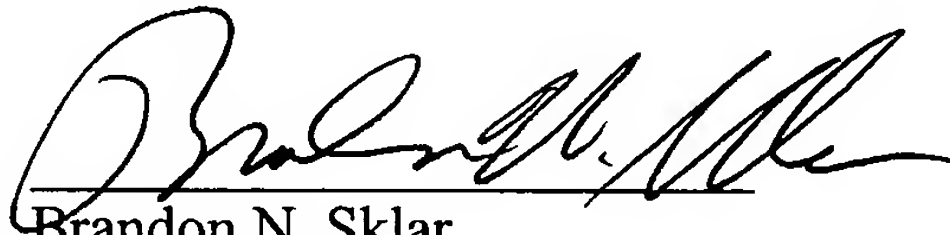
IV.   **New Claims 66-71**

New dependent claims 66-73 recite additional features that are described in the

specification. No new matter is added.

Entry and consideration of claims 66-73 are respectfully requested.

V.   **Conclusion**

Withdrawal of the rejections and reconsideration of the claims are respectfully requested.

Respectfully submitted,
Kaye Scholer LLP

By

Brandon N. Sklar
Attorney for Applicants
Reg. No. 31,667
212-836-8653

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Kaye Scholer LLP
425 Park Avenue
New York, NY 10022